

**Mark Nadel**

**From:** John Egan [John.Egan@getfunded.net]  
**Sent:** Friday, April 23, 2010 8:17 PM  
**To:** Mark Nadel  
**Cc:** Janell Tennyson; Kristy Rhodes  
**Subject:** Agape Appeal To The FCC  
**Importance:** High

cc Docket No. 02-6

Accepted / Filed

Mark

AUG 10 2017

Thanks for taking my call earlier today. Here is a brief on what occurred for Agape:

Federal Communications Commission  
Office of the Secretary

They selected a service provider, Communications Business corporation (CBC) to perform a wiring project for their school under and E-Rate FRN and you are already aware of the year of the application.

By the time that USAC had approved the funding of the FRN, CBC no longer existed - they were purchased by CTS and the project was completed by CTS but they were never paid by the school.

For the record, the school has not yet received their funding (although it was approved) and I am not even sure if they even filed a Form 486 but I think that they did so but certainly no BEAR or SPI was ever filed.

Net-Net: There is a need to change a SPIN after the fact and also file for an invoice extension because the funds may no longer be available for distribution to the school under the rules of the program.

When we spoke to the USAC Ombudsmen, Paul Stankus, he stated that this was not such an unusual scenario but that USAC could not "hear the case" because it was a rules violation technically speaking. The actions that need to be taken are as follows:

- 1 File a SPIN change from CBC to CTS.
- 1 File for an invoice extension that will allow payment of the approved funds to CTS.

The Ombudsmen also stated that the FCC could grant the approval and that they regularly do grant such approvals.

Your thoughts.

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